

The school board in the Hoxie case was courageous and forthright in taking the case into court. There may well develop other situations in which after voluntary desegregation the pressures placed upon the local school authorities are so great as to prevent their taking the initiative in instituting legal action. In this situation the Department under this legislation would be authorized to take the initiative in filing a suit for an injunction against any individuals seeking to interfere with the school authorities in their attempt to comply with the ruling of the Supreme Court.

There is another area related to the school segregation issue in which the Department has been involved and may be involved in future cases--but for reasons unrelated to the legislative proposals now before you. In the Clinton, Tennessee situation the Federal District Judge after much litigation entered an order in a civil suit brought by private individuals ordering the school officials to admit Negro students. This order became final and the school officials admitted the Negro children. Thereafter, various private individuals sought by threats of force to compel the school authorities to violate the court order and exclude the Negro children. In this situation, the school authorities appealed to the federal judge and he issued an order charging a number of private individuals with contempt of court. Trial of this action is now pending. The Department, through the local United States Attorney, will handle the prosecution in which it will be determined if the acts charged actually constituted contempt.

I wish to impress on you at this time that the court in the Clinton situation already had full power to proceed and that the pending legislation will have no bearing on such cases. I want also to impress on you that the problem of the Clinton case extends beyond civil rights cases into all areas of federal law enforcement. Ours is a government of laws. The remedy for disagreement

